



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,269	07/26/2006	Heike Becker	294001US0PCT	8383
22850	7590	01/09/2009	EXAMINER	
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.			NGUYEN, THUY-AI N	
1940 DUKE STREET				
ALEXANDRIA, VA 22314			ART UNIT	PAPER NUMBER
			1796	
			NOTIFICATION DATE	DELIVERY MODE
			01/09/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

DETAILED ACTION

Applicant's request for continued examination filed on October 17, 2008 has been fully considered. Claims 1, 2, and 9 have been amended. Claim 5 has been cancelled. Claims 1-4, and 6- 14 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 - 4, 6 - 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Littig et al. (US. 6,573,228).

Regarding claim 1, Littig et al. teach a composition comprising polyalkyleneamines (PA unit, (col. 3: 30- col. 4: 55), which is grafted with ethyleneimine (col. 5: 13- 65), wherein polyalkyleneamines crosslink with monoethylenically (T crosslinking unit) with unsaturated carboxylic acids including maleic acid, acrylic acid or methacrylic acid (col. 9: 27- 32), where j= 0, R1 is methylene and k= 2 (col. 6: 5- 46), and further crosslink with epihalohydrin (col. 6: 47- 67). Littig et al. further teach the composition further comprising surfactants (col. 10: 52- col. 13: 52), water soluble organic solvent such as polyethylene glycol (PEG, col. 17: 22- 28), polyols (col. 6: 58- 67), alkanolamine (alkanolammonium salt, col. 14: 15- 27), carboxylic acid (col. 16: 27- 54), builder, additives (col. 13: 55- col. 15: 57), and water (col. 18: 5-10).

Regarding claim 2, Littig et al. teach the composition, wherein:

- a) the fabric enhancement system (or component A) is present in an amount of from 0.01 to 20 percent (col. 2: 33- 46),
- b) surfactants (or component B) is from 0.01 to 60 percent by weight of the composition (col. 10: 53- 65),
- c) ethanol, propanediol (or component C) is present in an amount of from 3.36 percent by weight of the composition (col. 19, table 1),
- d) and f) alkanolammonium salts (component D) and builder (component F) are present in amount of from 1 to 50 percent by weight of the composition (col. 14: 5- 14),
- e) carboxylic acid (or component E, col. 16: 27- 54),
- g) additives (col. 13: 55- 64), and
- h) water (col. 18: 10- 11).

Regarding claim 3, Littig et al. teach the composition, wherein component Aa is polyalkyleneamine (col. 3: 38- 65).

Regarding claim 4, Littig et al. teach the composition, wherein the component Ab is epihalohydrins (col. 6: 48- 67).

Regarding claim 6, Littig et al. teach the composition, wherein component B is fatty alcohol sulfate, alkyl ether sulfates, and fatty alcohol alkoxylates (col. 11: 1- col. 12: 66).

Regarding claim 7, Littig et al. teach the composition, wherein the component C is ethanol, propanediol (table 1, col. 19).

Regarding claim 8, Littig et al. teach the composition comprising monoethanolamine (table 1, col. 19), and component E including acetic acid (col. 9: 45-55).

Claims 9- 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Scherr et al. (US. 5,641,855).

Regarding claims 9 and 10, Scherr et al. teach a process for preparation of water soluble or water dispersible compound comprising:

- crosslinking of polyalkylenepolyamines, polyamidoamines grafted with ethyleneimine, polyether- amines, and the mixtures thereof, with
- monoethylenically unsaturated carboxylic acids, salts, esters, amides, or nitrile of monoethylenically unsaturated carboxylic acid, or the mixtures thereof,
- bifunctional crosslinkers having a halo- hydrin, glycidyl, aziridine, or isocyanate unit (abstract).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Littig et al. (US. 6,573,228) in view of Boeckh et al. (US. 2003/0195135).

Regarding claim 12, Littig et al. teach a detergent composition comprising the compound as described above and the method of using the composition of that compound on fabric (col. 18: 51- col. 19- 25), wherein the method comprising the step of contacting the fabric with the detergent composition of the said compound. Littig et al. do not teach using the composition on a hard surface. Boeckh et al. teach the cleaning composition for treating the hard surface, wherein the composition comprises water soluble polyamidoamines grafted with ethyleneimine, epichlorohydrin [0071-0072], and water soluble polyethyleneimine crosslinked with epichlorohydrin and monocarboxylic [0069]. Littig et al. and Boeckh et al. are analogous art because they are in the same field of endeavor, namely, a cleaning composition comprising the similar compound which is used as soil release agent.. At the time of the invention, it would have been obvious to one of ordinary skill in the art to use composition of in the teaching of Littig et al. on the surface in order to bring out variety benefit of the composition.

Claims 11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Littig et al. (US. 6,573,228) as applied to claim 1 above, and further in view of Boeckh et al. (US. 2003/0195135).

Regarding claims 11,13 and 14, Littig et al. teach a detergent composition comprising the compound as described above and the method of using the composition

of that compound on fabric (col. 18: 51- col. 19- 25), wherein the method comprising the step of contacting the fabric with the detergent composition of the said compound. Littig et al. do not teach using the composition on a hard surface. Boeckh et al. teach the cleaning composition for treating the hard surfaces including glass and floor [0104], wherein the composition comprises water soluble polyamidoamines grafted with ethyleneimine, epichlorohydrin [0071- 0072], and water soluble polyethyleneimine crosslinked with epichlorohydrin and monocarboxylic [0069]. Littig et al. and Boeckh et al. are analogous art because they are in the same field of endeavor, namely, a cleaning composition comprising the similar compound which is used as soil release agent.. At the time of the invention, it would have been obvious to one of ordinary skill in the art to use composition of in the teaching of Littig et al. on the surface in order to bring out variety benefit of the composition.

Response to Arguments

Applicant's arguments filed on October 17, 2008 have been fully considered but they are not persuasive.

According to the argument of claims 9- 10, Scherr et al. disclose a method for preparation of water soluble compound which is consisting of the reaction of three different compounds as stated above in rejection of claim 9, wherein the reaction can be carried out with multiple steps or the compounds can be reacted all together (col. 5: 54- 60). According to MPEP, changing in the order of the reaction is not patentable unless it shows critical evidence or issue.

According to the argument of claims 1- 8, Littig et al. disclose a composition comprising the water soluble compound, wherein the reaction forming the water soluble compound includes mono- ethylene unsaturated carboxylic acid as said in the rejection above.

Applicant's arguments with respect to claims 1- 8, and 11- 14 have been considered but are moot in view of the new ground(s) of rejection.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THUY-AI N. NGUYEN whose telephone number is (571)270-3294. The examiner can normally be reached on Monday-Friday: 8:30 a.m. - 5:00 p.m. eastern time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Eashoo can be reached on 571-272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark Eashoo/
Supervisory Patent Examiner, Art Unit 1796

THA